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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/264,065	03/08/1999	JOEL D. PESHKIN	20944.2200	2575

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EXAMINER

BURD, KEVIN MICHAEL

ART UNIT

PAPER NUMBER

2631

DATE MAILED: 09/24/2003

26

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/265,065

Applicant(s)

ROSS, CHARLES

Examiner

Kevin M Burd

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 4-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

1. This office action, in response to the amendment filed 7/11/2003, is a final office action.

### *Response to Arguments*

2. Applicant's arguments filed 7/11/2003 have been fully considered but they are not persuasive. Applicant states the modem modules of Kedar are described as merely transporting data (information or command) between the system and the endpoint. There is no indication, whatsoever, in Kedar that modem modules are controlled by the command information on the TDM bus 16 or that modem modules receive information from the communication bus 196 on logical channels. The examiner disagrees. Kedar discloses a plurality of peripheral function circuits such as the modem pool 25 can be connected to the peripheral bus (column 6, lines 26-30). Kedar also discloses the group controller 12 provides control instructions for numerous peripheral functions which are performed by various peripheral function circuits such as Network Termination Circuit 22, Digital Station Interface 26, Digital Trunk Interface Circuit 32 and the like (column 5, lines 62-68). Therefore, the command information, which is described as being transmitted on logical channels in column 6, lines 14-26), controls the peripheral function circuit 25, which is the modem pool 25. The modem pool allows for high-speed digital data transmission between various endpoints connected to the bus 16.

Therefore, data must be transmitted from the bus to the modem. This transmission is

described as using data logical channels (column 6, lines 14-26). For these reasons, and the reasons stated below, the rejections of the claims are maintained.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 4-52 are rejected under 35 U.S.C. 102(b) as being anticipated by Kedar et al (US 4,750,171).

Regarding claims 1 and 4, Kedar discloses a peripheral bus is a conventional 64-timeslot system and each timeslot on the bus forms a logical timeslot channel. Each channel may be used for data or voice (column 6, lines 10-26). The bus also transmits data control channel information on the D channel to provide command information within the entire system (column 6, lines 10-26). These transmissions are made through a modem (column 6, lines 27-34).

Regarding claims 5-9, 14 and 15, data and command information will be sent when requested.

Regarding claims 10-13 and 17-19, the digital station interface is disclosed in figure 4.

Regarding claim 16, figure 1 shows a host computer coupled to the communication channels.

Regarding claims 20, 31, 43 and 53, Kedar discloses a peripheral bus is a conventional 64-timeslot system and each timeslot on the bus forms a logical timeslot channel. Each channel may be used for data or voice (column 6, lines 10-26). The bus also transmits data control channel information on the D channel to provide command information within the entire system (column 6, lines 10-26). These transmissions are made through a modem (column 6, lines 27-34). A digital station interface is shown in figure 4. The interface is capable of determining what type of information is being received so that information can be routed to the appropriate location.

Regarding claims 21-27, 29, 30, 32-38, 40, 41, 43-49, 51 and 52, the data will be received and stored in the interface.

Regarding claims 28, 39 and 50, in a personal computer, numerous bi-directional data lines, address lines, control lines and status lines are present which allows for fast data transfer when needed or requested. These lines are shown in figure 1.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

Art Unit: 2631

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**Contact Information**

**Any response to this final action should be mailed to:**

**Box AF**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

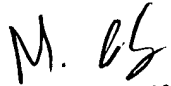
**or faxed to:**

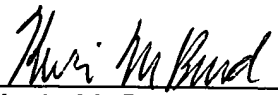
(703) 872-9314, (for formal communications; please mark "EXPEDITED PROCEDURE" or for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Burd, whose telephone number is (703) 308-7034. The Examiner can normally be reached on Monday-Thursday from 9:00 AM - 6:00 PM.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.

  
**MOHAMMAD H. GHAYOUR**  
**PRIMARY EXAMINER**

  
Kevin M. Burd  
PATENT EXAMINER  
9/16/03